

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

FLICK INTELLIGENCE LLC,)	
Plaintiff,)	
)	Civil Action No. 6:21-cv-01291
v.)	
)	
MAGIC LEAP, INC.,)	JURY TRIAL DEMANDED
Defendant.)	

PLAINTIFF’S ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Flick Intelligence LLC (“Flick”) files this Original Complaint and demand for jury trial seeking relief from patent infringement of the claims of U.S. Patent Nos. 9,465,451 (“the ‘451 patent”) and 9,965,237 (“the ‘237 patent”) (collectively referred to as the “Patents-in-Suit”) by Magic Leap, Inc. (“Magic”).

I. THE PARTIES

1. Plaintiff Flick, LLC is a Texas Limited Liability Company with its principal place of business located in Harris County, Texas.

2. On information and belief, Magic is a corporation organized under the laws of the State of Delaware with an office at 7500 W. Sunrise Blvd., Plantation, FL 33322 and 9801 Metric Blvd, Austin, TX 78758. On information and belief, MAGIC sells and offers to sell products and services throughout Texas, including in this judicial district, and introduces products and services that perform infringing methods or processes into the stream of commerce knowing that they would be sold in Texas and this judicial district. MAGIC can be served with process through their registered agent, Paracorp Incorporated, 2140 S Dupont Hwy, Camden, DE 19934 or wherever they may be found.

II. JURISDICTION AND VENUE

3. This Court has original subject-matter jurisdiction over the entire action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because Plaintiff's claim arises under an Act of Congress relating to patents, namely, 35 U.S.C. § 271.

4. This Court has personal jurisdiction over Defendant because: (i) Defendant is present within or has minimum contacts within the State of Texas and this judicial district; (ii) Defendant has purposefully availed itself of the privileges of conducting business in the State of Texas and in this judicial district; and (iii) Plaintiff's cause of action arises directly from Defendant's business contacts and other activities in the State of Texas and in this judicial district.

5. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b). Defendant has committed acts of infringement and (1) "a physical place in the district;" (2) that is "regular and established;" and (3) is a "the place of the defendant." Further, venue is proper because Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in Texas and this District.

III. INFRINGEMENT

A. Infringement of the '451 Patent

6. On October 11, 2016, U.S. Patent No. 9,465,451 ("the '451 patent" attached hereto) entitled "METHOD, SYSTEM AND COMPUTER PROGRAM PRODUCT FOR OBTAINING AND DISPLAYING SUPPLEMENTAL DATA ABOUT A DISPLAYED MOVIE, SHOW, EVENT OR VIDEO GAME," was duly and legally issued by the U.S. Patent and Trademark Office. Flick, LLC owns the '451 patent by assignment.

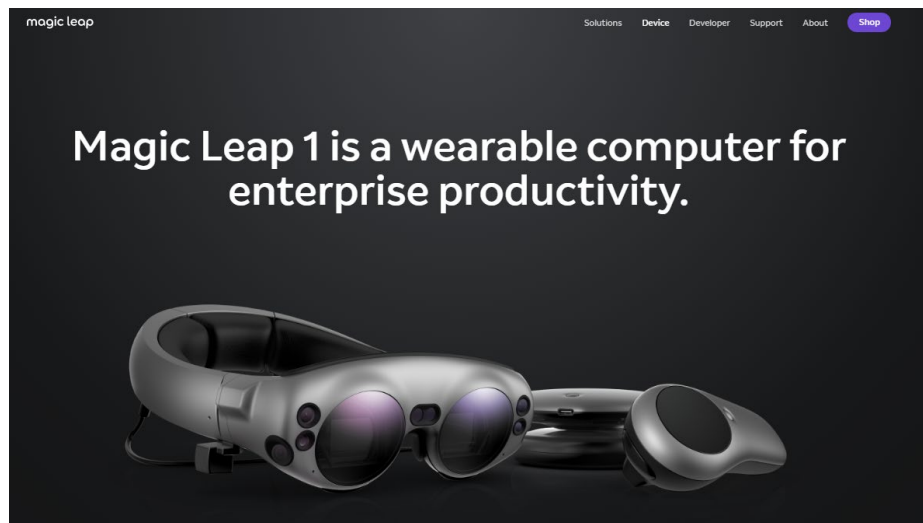
7. The ‘451 patent relates to a novel and improved method, system and computer program product for displaying additional information about a displayed point of interest.

8. MAGIC offers for sale, sells and manufactures Magic Leap 1 and related systems that infringe one or more claims of the ‘451 patent, including one or more of claims 1-14, literally or under the doctrine of equivalents. Defendant put the inventions claimed by the ‘451 Patent into service (i.e., used them); but for Defendant’s actions, the claimed-inventions embodiments involving Defendant’s products and services would never have been put into service. Defendant’s acts complained of herein caused those claimed-invention embodiments as a whole to perform, and Defendant’s procurement of monetary and commercial benefit from it.

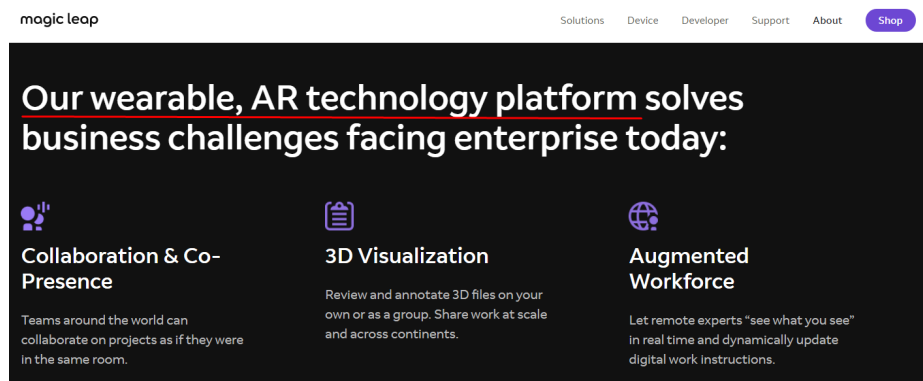
9. Support for the allegations of infringement may be found in the following preliminary table:

Claim	Analysis
[1.P] A method for displaying additional information about a scene element displayed in a frame of video content being presented on a display, the method comprising:	<p>To the extent the preamble is limiting, Magic Leap, Inc. performs and induces others to perform a method for displaying additional information about a scene element displayed in a frame of video content being presented on a display.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Magic Leap, Inc. provides the feature of World Understanding in its devices (including but not limited to Magic Leap 1). World Understanding allows Magic Leap devices to recognize objects (“scene element”) in its surrounding environment, such as chairs, couch, screen, table, and poster. Once these objects are identified Magic Leap device will display the detail (if that object is a chair, couch, or such) (“additional information”) about the object.</p>

For example, it is apparent for a person skilled in the art that the surroundings may comprise a video display including but not limited to television, laptop and billboards (“display”) that display real objects in a frame of video content. The user’s device comprises a camera which captures the object (“scene element”) in the frame of the video display and augments additional information about the object.



Source: <https://www.magicleap.com/en-us/magic-leap-1>



Source: <https://www.magicleap.com/en-us/about>

World Understanding

World Understanding allows Magic Leap devices to recognize some types or classes of objects in your environment, such as the ability to identify chairs and posters, and include data about those objects in your spatial maps. Applications can then access object data in your spatial maps (with your permission), and use it in a variety of ways, including to make your digital content fit even more seamlessly into the world around you. Additional information about World Understanding can be found in the “More about World Understanding” section below.



Source: <https://www.magicleap.com/en-us/privacy/spatial-mapping-overview-and-detail-options>

How World Understanding Works

When you elect to use World Understanding, your Magic Leap device will send picture camera color images and depth sensor images to our World Understanding cloud service. The World Understanding service runs computer vision algorithms to identify objects in your space. Once objects are identified, the World Understanding service generates unique labels and other data about those objects, which are placed into your spatial maps (whether in a Personal World or contributed to Shared World).

Magic Leap retains the color images and depth sensor images collected by the World Understanding service for limited periods of time in order to train Magic Leap's computer vision models and improve performance of this functionality.

Source: <https://www.magicleap.com/en-us/privacy/spatial-mapping-overview-and-detail-options>

Found Objects

Compatible with all engines | Final update: March 16, 2020

Magic Leap provides an experimental means to retrieve information about objects in the real world that are detected with World Understanding when you map your space.

Note that Found Objects and World Understanding are experimental features and may change.

You can detect the following found object categories:

- couch
- chair
- table
- poster
- screen

Source: <https://developer.magicleap.com/ja-jp/learn/guides/lumin-sdk-found-objects>



Source: <https://www.youtube.com/watch?v=3h-6fdyizSs>, 0:35

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

<p>[1.1] determining a location of the display in relation to an augmented reality device wherein a plurality of markers is used to determine the location of the display, wherein the augmented reality device comprises a secondary display, and wherein the location of the display is used to map points on the display to points on the secondary display;</p>	<p>Magic Leap, Inc. performs and induces others to perform the step of determining a location of the display in relation to an augmented reality device wherein a plurality of markers is used to determine the location of the display, wherein the augmented reality device comprises a secondary display, and wherein the location of the display is used to map points on the display to points on the secondary display.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Magic Leap captures video content in the real world by identifying the location and position of the real objects. It detects visually distinct features by using World Feature points to compute the location of the real objects. It is apparent that the video display is detected as a real object in the application. The World Feature points detected by the Magic Leap devices act as the markers to identify the exact location and position of the video display (“display”).</p> <p>For example, the Magic Leap device (“augmented reality device”), running the AR application, comprises a screen (“secondary display”) that presents captured real objects for the user to view. The AR application overlays the additional information related to the real objects such that if the real object moves in the frame, the additional information moves with it. Therefore, the AR application maps the points on the device’s screen to the points on the video display such that additional information stays attached to the coordinates of the real object.</p>
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What is Spatial Mapping?

Spatial maps are a critical part of the Magic Leap ecosystem as they help Magic Leap enable interactions between digital content and your actual physical surroundings. Device sensors continuously scan your environment, process that information, and use it to create three dimensional representations of your area (which we refer to as spatial maps). The end result is a mapped environment that enables apps to render digital media in your field of view as if it were really in front of you. Spatial maps can include the following three different levels of detail, based on the choices you make:

Source: <https://www.magicleap.com/en-us/privacy/spatial-mapping-overview-and-detail-options>

World Features

World Features are 3D representations (also called "point clouds") of the world around you, and serve as the basic building blocks of a spatial map. World Feature points can be used as references to place and persist content (so you can come back to that content later, at the same place). Additional information about World Features can be found in the "More about World Features" section below.



Source: <https://www.magicleap.com/en-us/privacy/spatial-mapping-overview-and-detail-options>

World Understanding

World Understanding allows Magic Leap devices to recognize some types or classes of objects in your environment, such as the ability to identify chairs and posters, and include data about those objects in your spatial maps. Applications can then access object data in your spatial maps (with your permission), and use it in a variety of ways, including to make your digital content fit even more seamlessly into the world around you. Additional information about World Understanding can be found in the “More about World Understanding” section below.



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Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

[1.2] detecting a selection of the scene element wherein a viewer looks through the augmented reality device to view the display and utilizes the augmented reality device to point at and select the scene element; and

Magic Leap, Inc. performs the step detecting a selection of the scene element wherein a viewer looks through the augmented reality device to view the display and utilizes the augmented reality device to point at and select the scene element; and

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, the AR application in the Magic Leap device allows the user to view (“a viewer looks through the augmented reality device”) the real objects in video display through the device and get a visual representation of the scene on the device’s screen. Magic Leap device allows the user to select and point (“point at and select”) at a real object viewed on the video display through the device’s screen. Therefore, the AR application detects the selection of the scene element when the viewer looks through the device’s screen.

World Understanding

World Understanding allows Magic Leap devices to recognize some types or classes of objects in your environment, such as the ability to identify chairs and posters, and include data about those objects in your spatial maps. Applications can then access object data in your spatial maps (with your permission), and use it in a variety of ways, including to make your digital content fit even more seamlessly into the world around you. Additional information about World Understanding can be found in the “More about World Understanding” section below.



Source: <https://www.magicleap.com/en-us/privacy/spatial-mapping-overview-and-detail-options>

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Found Objects

Compatible with all engines | Final update: March 16, 2020


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	 <p>Source: https://www.youtube.com/watch?v=3h-6fdyizSs, 0:35</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[1.3] displaying the additional information to the viewer on the secondary display, in response to the selection.</p>	<p>Magic Leap, Inc. performs the step of displaying the additional information to the viewer on the secondary display, in response to the selection.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, the AR application in the Magic Leap device allows the user to select at least one real object in the scene on a video display using the Magic Leap device. Based on the user's selection, an additional information (if that object is a chair, couch, or such) is displayed on the user's device such that the additional information is augmented on the selected real object.</p>

World Understanding

World Understanding allows Magic Leap devices to recognize some types or classes of objects in your environment, such as the ability to identify chairs and posters, and include data about those objects in your spatial maps. Applications can then access object data in your spatial maps (with your permission), and use it in a variety of ways, including to make your digital content fit even more seamlessly into the world around you. Additional information about World Understanding can be found in the "More about World Understanding" section below.



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Source: <https://www.youtube.com/watch?v=3h-6fdyizSs>, 0:35

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

These allegations of infringement are preliminary and are therefore subject to change.

10. MAGIC has and continues to induce infringement. MAGIC has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., Magic Leap 1 and related systems) and related services that provide question and answer services across the Internet such as to cause infringement of one or more of claims 1–14 of the ‘451 patent, literally or under the doctrine of equivalents. Moreover, MAGIC has known of the ‘451 patent and the technology underlying it from at least the date of the filing of the lawsuit.¹

11. MAGIC has and continues to contributorily infringe. MAGIC has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., Magic Leap 1 and related systems) and related services that provide question and answer services across the Internet such as to cause infringement of one or more of claims 1–14 of the ‘451 patent, literally or under the doctrine of equivalents. Moreover, MAGIC has known of the ‘451 patent and the technology underlying it from at least the date of the filing of the lawsuit.²

12. MAGIC has caused and will continue to cause Flick damage by direct and indirect infringement of (including inducing infringement of) the claims of the ‘451 patent.

B. Infringement of the ‘237 Patent

13. On May 16, 2006, U.S. Patent No. 7,047,237 (“the ‘237 patent”, attached as Exhibit B) entitled “METHODS, SYSTEMS AND PROCESSOR-READABLE MEDIA FOR

¹ Flick anticipates discovery will reveal that Magic knew of the patents from their date of issuance and thus Flick reserve the right to amend when Magic became aware of the Patents-in-Suit.

² Flick anticipates discovery will reveal that Magic knew of the patents from their date of issuance and thus Flick reserve the right to amend when Magic became aware of the Patents-in-Suit.

BIDIRECTIONAL COMMUNICATIONS AND DATA SHARING,” was duly and legally issued by the U.S. Patent and Trademark Office. Flick, LLC owns the ‘237 patent by assignment.

14. The ‘237 patent relates to a novel and improved methods, systems and processor - readable media for supporting bidirectional communications and data sharing.

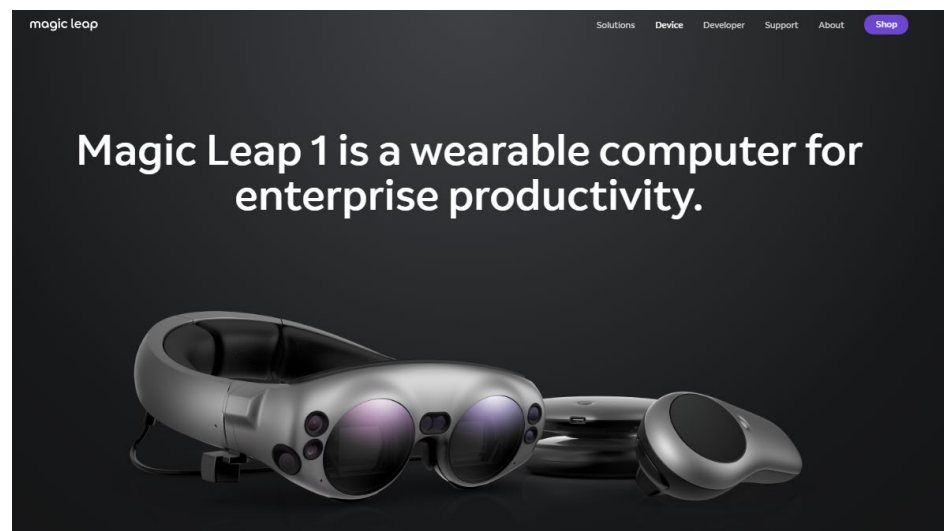
15. MAGIC offers for sale, sells and manufactures Magic Leap 1 and related systems that infringes one or more claims of the ‘237 patent, including one or more of claims 1-16, literally or under the doctrine of equivalents. Defendant put the inventions claimed by the ‘237 Patent into service (i.e., used them); but for Defendant’s actions, the claimed-inventions embodiments involving Defendant’s products and services would never have been put into service. Defendant’s acts complained of herein caused those claimed-invention embodiments as a whole to perform, and Defendant’s procurement of monetary and commercial benefit from it.

16. Support for the allegations of infringement may be found in the following preliminary table:

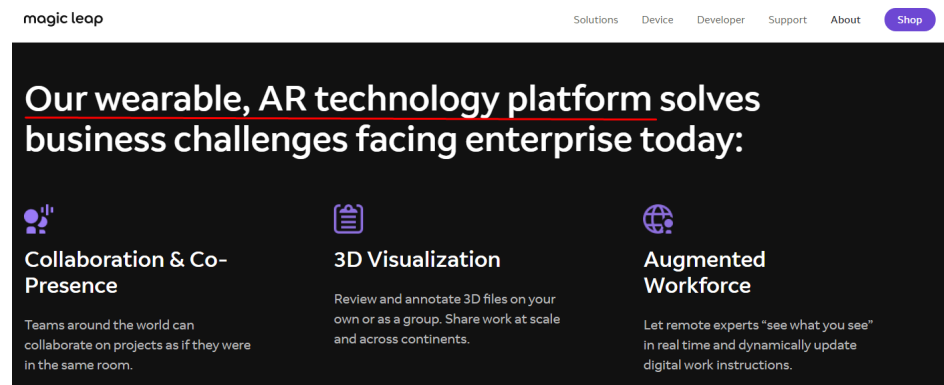
Claim	Analysis
[1.P] An augmented reality device for accessing a video annotation infrastructure, said augmented reality device comprising:	<p>To the extent the preamble is limiting, Magic Leap, Inc. makes, uses, sells, and offers for sale an augmented reality device for accessing a video annotation infrastructure.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Magic Leap, Inc. provides devices including but not limited to Magic Leap 1 (“augmented reality device”). Magic Leap 1 superimposes 3D computer-generated imagery over real-world objects which provides an interactive simulation of a real-world environment to the user. Magic Leap 1 accesses a video annotation infrastructure and identifies at least</p>

features/points on a video scene and distance between surfaces from a given point.

Further, the video annotation infrastructure comprises including but not limited to a display (such as a television, and a movie screen) capable of displaying a video scene. The augmented reality device is configured to detect (using cameras) video scenes being displayed on the display provided by the infrastructure.



Source: <https://www.magicleap.com/en-us/magic-leap-1>



Source: <https://www.magicleap.com/en-us/about>

Immersive and world-aware

Our heads-up display is equipped with sophisticated sensors and world-understanding, capturing the contour and content of your workspace so that applications intelligently integrate into your environment.

Powerful gaming-quality graphics, precision input and spatial audio level-up training simulation, assembly and repair, and collaborative design.

Source: <https://www.magicleap.com/en-us/magic-leap-1>

magic leap

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AEC / MANUFACTURING

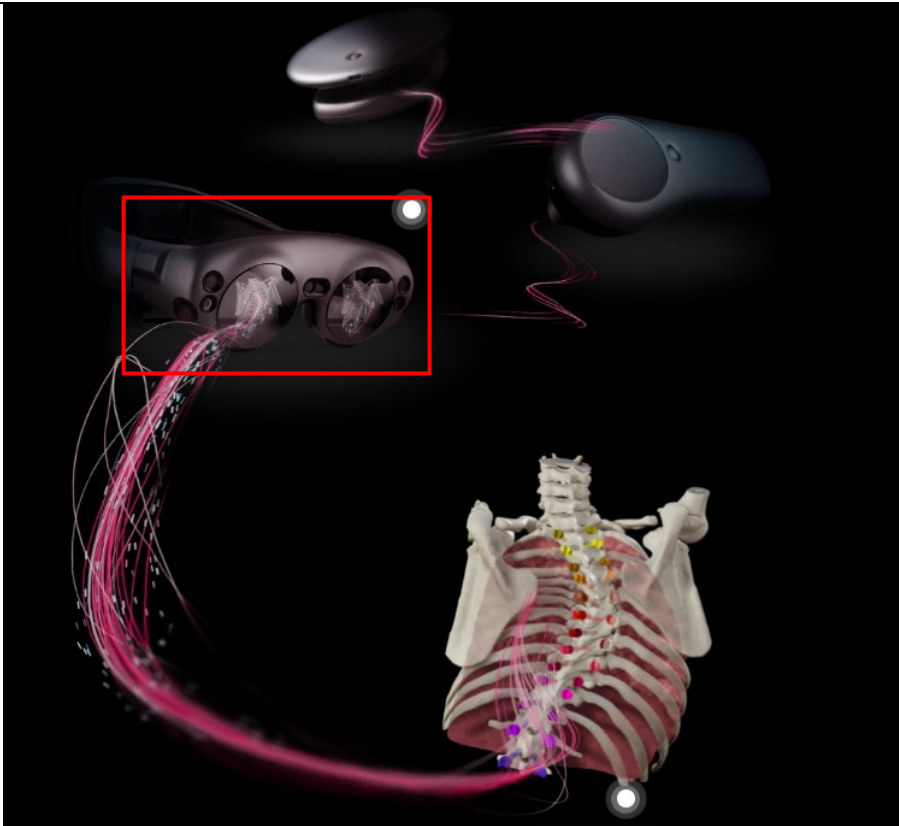
Vuforia Engine
by PTC

Build powerful AR experiences to connect, educate, and engage users.

[Learn more](#)

Source: <https://www.magicleap.com/en-us/about>

	<p>The Magic Leap One is a three-piece system that includes a headset called Lightwear, a small wearable computer called the Lightpack, and a handheld controller. The headset is studded with tracking cameras for mapping your environment, as well as inward-facing eye-tracking cameras. The darkened lenses are inset with small glass waveguides, which Magic Leap calls “photonics chips.” These chips are manufactured at Magic Leap headquarters, a former Motorola factory. Abovitz says Magic Leap can comfortably produce tens of millions of chips on-site, while the rest of the headset is manufactured by a third party whose name and location he resolutely refuses to discuss.</p> <p>Source: https://www.theverge.com/2018/8/8/17662040/magic-leap-one-creator-edition-preview-mixed-reality-glasses-launch</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
[1.1] a local display;	<p>Magic Leap, Inc. provides a local display.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Magic Leap 1 comprises a display (“local display”).</p>



Source: <https://www.brainlab.com/surgery-products/overview-platform-products/mixed-reality-applications/mixed-reality-viewer/>

Display	1280 x 960 pixel RGB per eye
Spatial audio	Built-in Stereo Speakers
Inertial Sensors	2 x 3-axis Accelerometer 3-axis Magnetometer
Battery (cont. use)	3.5 hrs
Charging / Data	USB-C PD 2.0 compliant (fast charge up to 1.5 A @ 5 V)

Source: <https://www.magicleap.com/en-us/magic-leap-1>

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

[1.2] a scene alignment module

Magic Leap, Inc. provides a scene alignment module that locates a display position in said local display from at least one marker, wherein said display

that locates a display position in said local display from at least one marker, wherein said display position is used to map points on said local display to points on a second display and wherein said at least one marker assists said augmented reality device in determining a location and a distance of said second display;

position is used to map points on said local display to points on a second display and wherein said at least one marker assists said augmented reality device in determining a location and a distance of said second display.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, Magic Leap 1 comprises a software module/code (“scene alignment module”) that identifies a display position using points called world features (“marker”). The module recognizes a cluster of world features on a second display (including but not limited to television, movie screen, and billboards) (“map points on said local display to points on a second display”). This allows Magic Leap 1 to determine its own position and orientation relative to a second display and accurately align and display a scene on its own display.

The alignment helps the device to render the scene from the correct perspective such that the scene is always displayed on the device despite the device movement (such as rotation and inclination). Additionally, the depth sensors identify objects in space and thereby calculate the distance between the second display and Magic Leap 1, and location of the second display (with respect to the surrounding objects) (“location and a distance of said second display”).

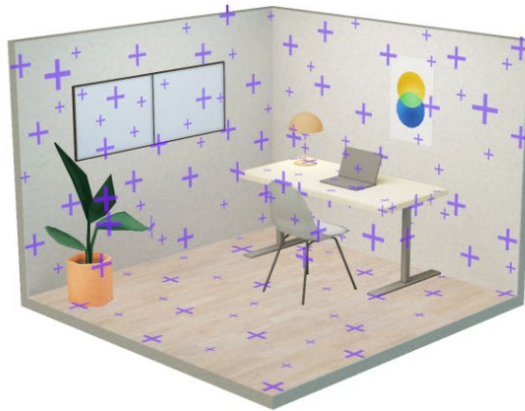
What is Spatial Mapping?

Spatial maps are a critical part of the Magic Leap ecosystem as they help Magic Leap enable interactions between digital content and your actual physical surroundings. Device sensors continuously scan your environment, process that information, and use it to create three dimensional representations of your area (which we refer to as spatial maps). The end result is a mapped environment that enables apps to render digital media in your field of view as if it were really in front of you. Spatial maps can include the following three different levels of detail, based on the choices you make:

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World Features

World Features are 3D representations (also called "point clouds") of the world around you, and serve as the basic building blocks of a spatial map. World Feature points can be used as references to place and persist content (so you can come back to that content later, at the same place). Additional information about World Features can be found in the "More about World Features" section below.



Source: <https://www.magicleap.com/en-us/privacy/spatial-mapping-overview-and-detail-options>

How World Understanding Works

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Magic Leap retains the color images and depth sensor images collected by the World Understanding service for limited periods of time in order to train Magic Leap's computer vision models and improve performance of this functionality.

	<p>Source: https://www.magicleap.com/en-us/privacy/spatial-mapping-overview-and-detail-options</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[1.3] an annotation data receiver that generates annotation selection data that is downloaded into said augmented reality device ahead of time or on-demand, wherein said annotation selection data includes cursor coordinates that yield an element identifier and annotation data that specifies at least one selectable zone comprising a combination of selectable areas and time periods during which said selectable areas are selectable and wherein said at least one selectable zone includes coordinates in both space and time;</p>	<p>Magic Leap, Inc. provides an annotation data receiver that generates annotation selection data that is downloaded into said augmented reality device ahead of time or on-demand, wherein said annotation selection data includes cursor coordinates that yield an element identifier and annotation data that specifies at least one selectable zone comprising a combination of selectable areas and time periods during which said selectable areas are selectable and wherein said at least one selectable zone includes coordinates in both space and time.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Magic Leap 1 comprises a software module/code (“annotation data receiver”) that generates and stores data regarding at least the location (“annotation selection data”) where the device is pointing at a particular time (“on-demand”).</p> <p>A user moves and/or rotates the Magic Leap 1 to select/highlight a scene element (an object or a part of a scene). It uses sensors (including but not limited to accelerometers, and magnetometer) that determine the position of the device and associate the movement of Lightwear (the headset) and Control (the hand-held controller) with the coordinates of a cursor that is used to point to and select a scene element. When the user highlights a scene element by capturing the element within the device display and interacting with the element using Control, the module recognizes the scene element and identifies the element using an element identifier (for example, if the user points to a table, Magic Leap 1 identifies the element as a table using the element identifier).</p>

Further, when the user points to a scene area, Magic Leap 1 provides additional data that includes additional information (such as additional options and/or controls) regarding the scene area that the device is pointing at (“selectable zone”). The selectable zone comprises selectable areas such that the user is able to point and select the areas during a time period for which the area is being displayed to the user and is selectable to display additional information. Hence, for a video scene, the selectable zone is defined using coordinates (the position of the device in space) and time for which the zone will be displayed and allowed for the user to select.



3D Visualization

Review and annotate 3D files on your own or as a group. Share work at scale and across continents.

Source: <https://www.magicleap.com/en-us/about>

Display	1280 x 960 pixel RGB per eye
Spatial audio	Built-in Stereo Speakers
Inertial Sensors	2 x 3-axis Accelerometer 3-axis Magnetometer
Battery (cont. use)	3.5 hrs
Charging / Data	USB-C PD 2.0 compliant (fast charge up to 1.5 A @ 5 V)

	<p>Source: https://www.magicleap.com/en-us/magic-leap-1</p> <p><u>Together, the (x,y,z) coordinates specify the position of an element in 3D space, offset from the origin point (0,0,0). Positive x values are to the right of the origin, positive y values below the origin, and positive z values toward the viewer. The kind of coordinate system that CSS uses is commonly called a left-handed 3D coordinate system with the origin (0, 0, 0) at the top-left of the web page. See Mozilla's page on Coordinate Systems in CSS for more information.</u></p> <p>Source: https://developer.magicleap.com/en-us/learn/guides/develop-detached-css</p> <p>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.</p>
<p>[1.4] wherein said coordinates are specified as a series of discrete coordinates;</p>	<p>Magic Leap, Inc. provides an augmented reality device wherein said coordinates are specified as a series of discrete coordinates.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Magic Leap 1 measures the coordinates of the surroundings (such as the second display) relative to the device in the x, y, z plane (“discrete coordinates”).</p> <p><u>Together, the (x,y,z) coordinates specify the position of an element in 3D space, offset from the origin point (0,0,0). Positive x values are to the right of the origin, positive y values below the origin, and positive z values toward the viewer. The kind of coordinate system that CSS uses is commonly called a left-handed 3D coordinate system with the origin (0, 0, 0) at the top-left of the web page. See Mozilla's page on Coordinate Systems in CSS for more information.</u></p> <p>Source: https://developer.magicleap.com/en-us/learn/guides/develop-detached-css</p>

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<p>[1.5] the augmented reality device further comprising:</p> <p>a local data store and a query router, wherein said query router sends queries to at least one data server and said local data store within said augmented reality device, wherein said local display displays a cursor and query results with respect to said queries overlaid on</p>	<p>Magic Leap, Inc. provides the augmented reality device further comprising a local data store and a query router, wherein said query router sends queries to at least one data server and said local data store within said augmented reality device, wherein said local display displays a cursor and query results with respect to said queries overlaid on top of a displayed image.</p> <p>This element is infringed literally, or in the alternative, under the doctrine of equivalents.</p> <p>For example, Magic Leap 1 comprises a local data store (in the form of storage/memory present within the device). It features Wi-Fi functionality for connecting the device to the Internet. Further, users can add applications on Magic Leap 1 and the applications use Internet to send queries to a data server.</p> <p>When a user uses an application on Magic Leap 1, a software module/code ("query router") sends a query to the local data store and a data server. For example, if the user opens Spotify application on Magic Leap 1 and plays a</p>										

top of a displayed image; and

song, the application fetches the song data from Spotify server (“data server”) and the storage/memory of the device (the data comprises some metadata and/or any necessary data that the application requires to play the song). When all the necessary information is received, the content (or the song) will be presented to the user wearing Magic Leap 1 along with a cursor to interact with the received data (for example, to play or pause the song).

Camera	2 Megapixel color sensor 76.9° diagonal field of view f/2.0 aperture Fixed focus Up to 1080p30 video
RAM	8GB
Memory / Storage	128GB

Source: <https://www.magicleap.com/en-us/magic-leap-1>

RAM	8GB
Memory / Storage	128GB
OS	Lumin OS
WiFi	IEEE 802.11a/g/b/n/ac, dual-band
Bluetooth	Bluetooth 4.2

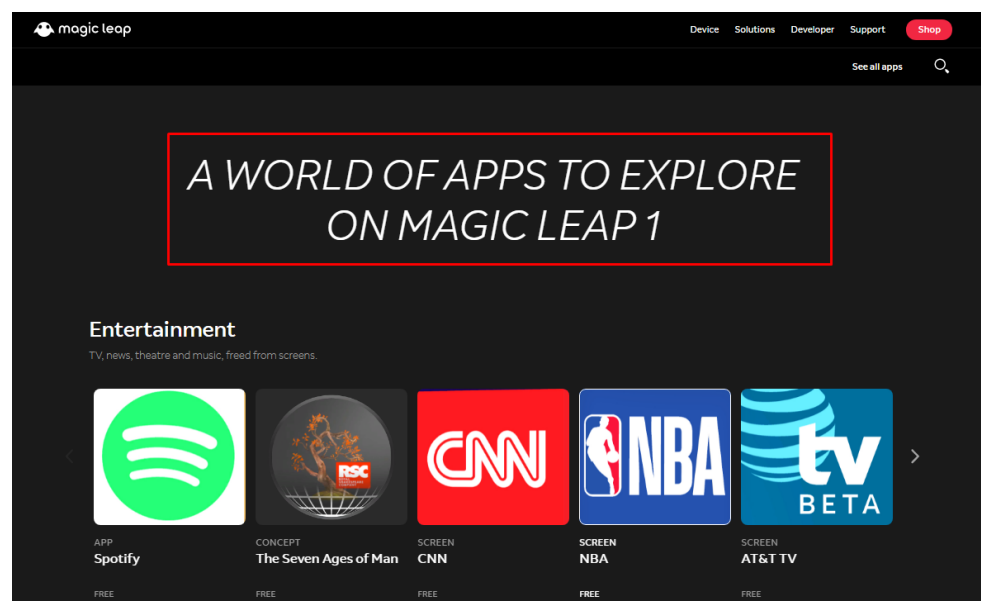
Source: <https://www.magicleap.com/en-us/magic-leap-1>

Data Available to all Apps

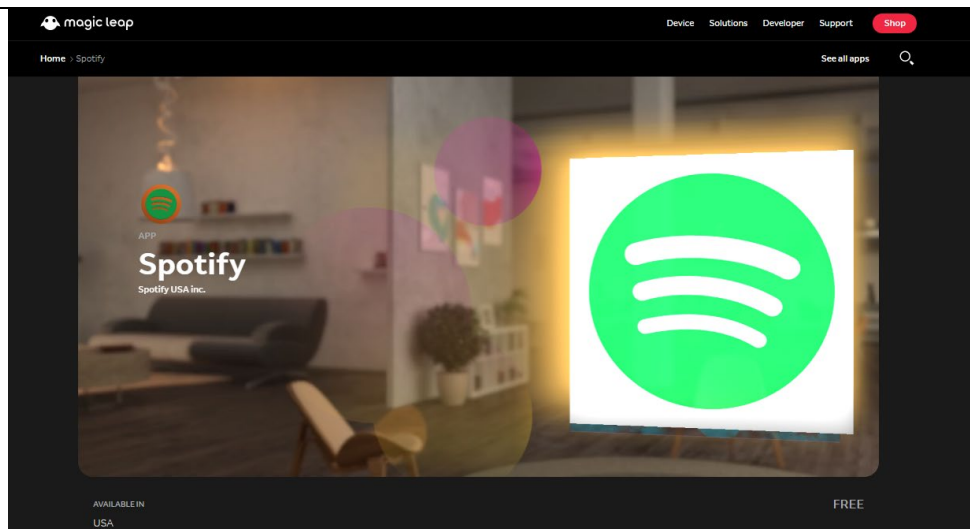
Below are examples of the types of information that are automatically shared with apps. Access to certain of these types of information may be disabled by you through your device settings. If you do not wish to share information with an app provider, do not download apps from that provider.

Internet: Apps will be able to access the internet connection your device is using, however, Magic Leap's platform is not designed to share any information about your connection such as SSID (Network Name) or BSSID (MAC Address).

Source: <https://www.magicleap.com/en-us/privacy/app-permissions>



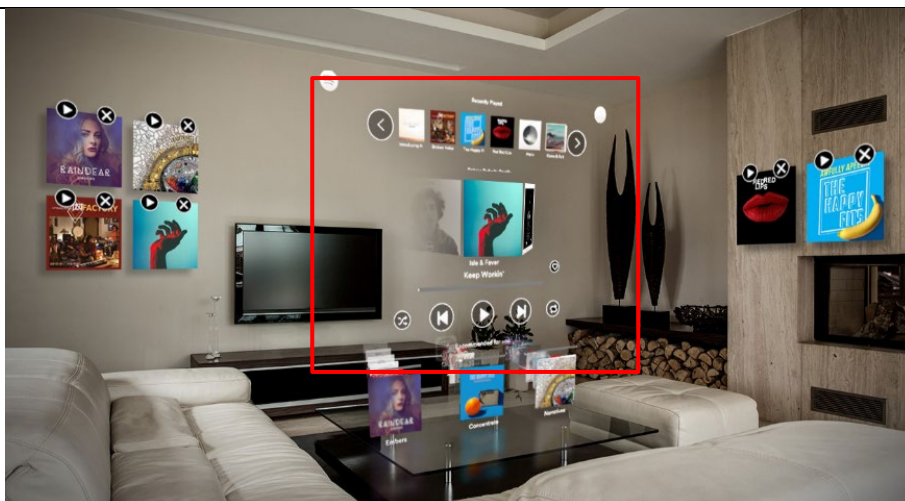
Source: <https://world.magicleap.com/en-us>



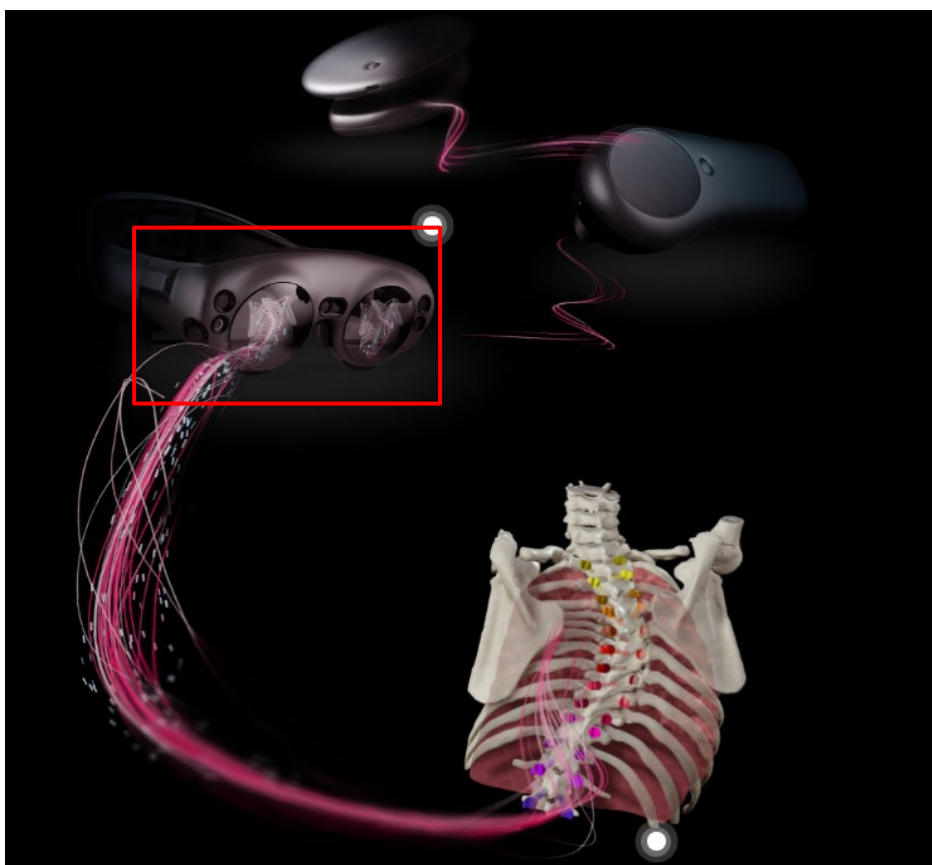
Source: <https://world.magicleap.com/en-us/details/com.magicleap.spotify>



Source: <https://www.magicleap.com/en-us/news/partner-stories/put-music-in-your-world-with-spotify-on-magic-leap-one>, 2:14



Source: <https://world.magicleap.com/en-us/details/com.magicleap.spotify>



Source: <https://www.brainlab.com/surgery-products/overview-platform-products/mixed-reality-applications/mixed-reality-viewer/>

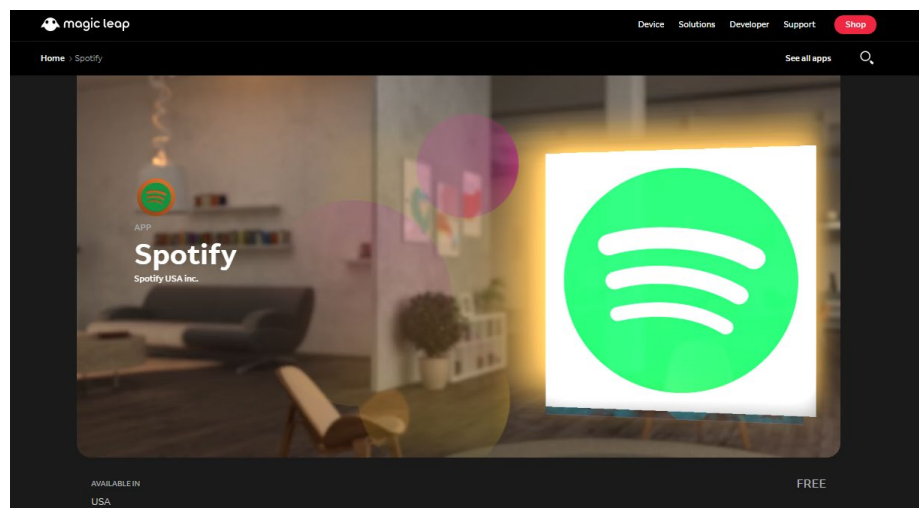
	Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.
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[1.6] wherein said query results are gathered and passed for presentment to a user via said local display, wherein said local display shows said query results.

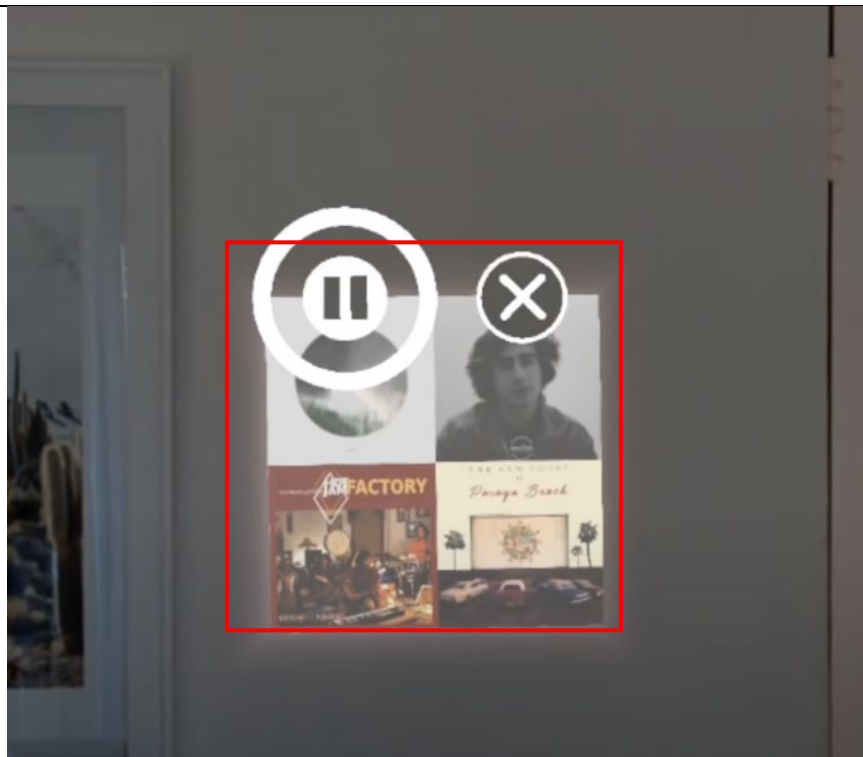
Magic Leap, Inc. provides the augmented reality device wherein said query results are gathered and passed for presentment to a user via said local display, wherein said local display shows said query results.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

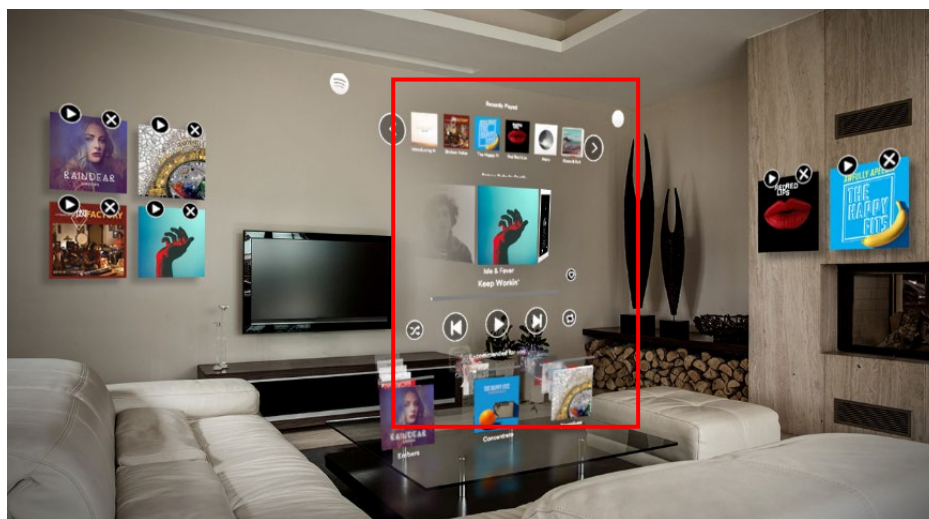
For example, Magic Leap 1 receives and displays the information regarding the song (“query results”) to the user on the local display.



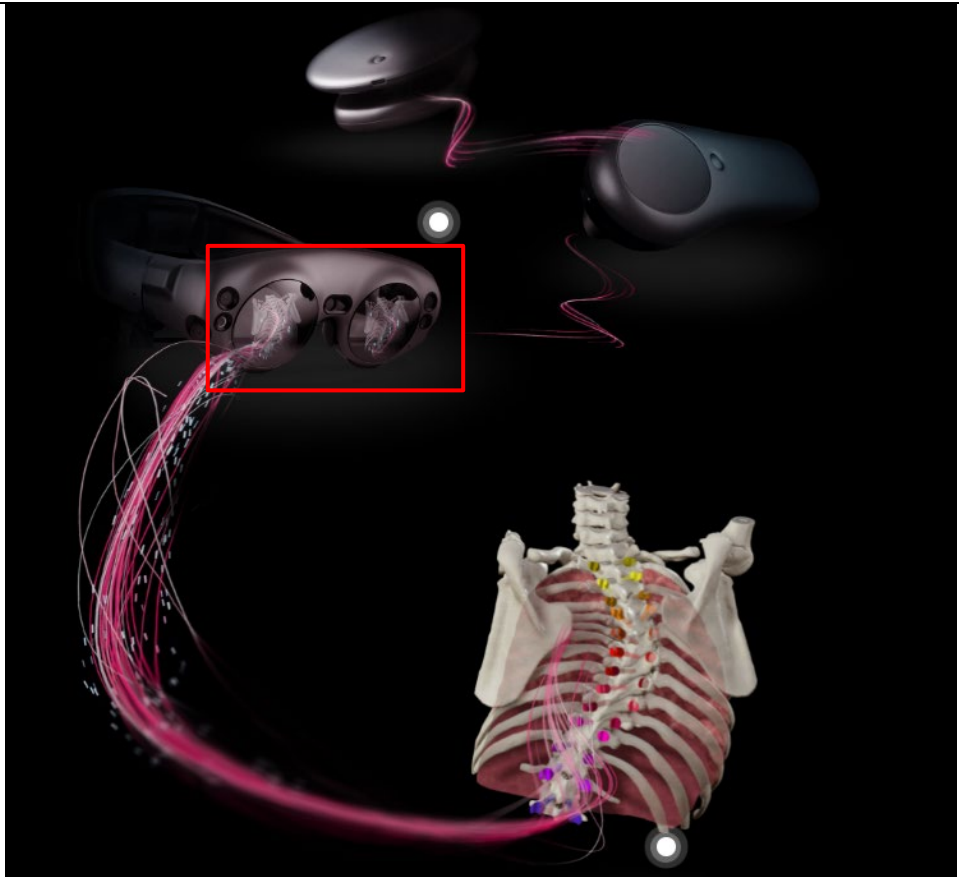
Source: <https://world.magicleap.com/en-us/details/com.magicleap.spotify>



Source: <https://www.magicleap.com/en-us/news/partner-stories/put-music-in-your-world-with-spotify-on-magic-leap-one>, 2:14



Source: <https://world.magicleap.com/en-us/details/com.magicleap.spotify>



Source: <https://www.brainlab.com/surgery-products/overview-platform-products/mixed-reality-applications/mixed-reality-viewer/>

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

These allegations of infringement are preliminary and are therefore subject to change.

17. MAGIC has and continues to induce infringement. MAGIC has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., Magic Leap 1 and related systems) and related services that provide question and answer services across the Internet such as to cause infringement of one or more of claims 1–16 of the '237 patent, literally or under the doctrine of

equivalents. Moreover, MAGIC has known of the '237 patent and the technology underlying it from at least the date of the filing of the lawsuit.³

18. MAGIC has and continues to contributorily infringe. MAGIC has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., Magic Leap 1 and related systems) and related services that provide question and answer services across the Internet such as to cause infringement of one or more of claims 1–16 of the '237 patent, literally or under the doctrine of equivalents. Moreover, MAGIC has known of the '237 patent and the technology underlying it from at least the date of the filing of the lawsuit.⁴

19. MAGIC has caused and will continue to cause Flick damage by direct and indirect infringement of (including inducing infringement of) the claims of the '237 patent.

IV. JURY DEMAND

Flick hereby requests a trial by jury on issues so triable by right.

V. PRAYER FOR RELIEF

WHEREFORE, Flick prays for relief as follows:

- a. enter judgment that Defendant has infringed the claims of the Patents-in-Suit;
- b. award Flick damages in an amount sufficient to compensate it for Defendant's infringement of the Patents-in-Suit in an amount no less than a reasonable royalty or lost profits, together with pre-judgment and post-judgment interest and costs under 35 U.S.C. § 284;

³ Flick anticipates discovery will reveal that Magic knew of the patents from their date of issuance and thus Flick reserve the right to amend when Magic became aware of the Patents-in-Suit.

⁴ Flick anticipates discovery will reveal that Magic knew of the patents from their date of issuance and thus Flick reserve the right to amend when Magic became aware of the Patents-in-Suit.

- c. award Flick an accounting for acts of infringement not presented at trial and an award by the Court of additional damage for any such acts of infringement;
- d. declare this case to be “exceptional” under 35 U.S.C. § 285 and award Flick its attorneys’ fees, expenses, and costs incurred in this action;
- e. declare Defendant’s infringement to be willful and treble the damages, including attorneys’ fees, expenses, and costs incurred in this action and an increase in the damage award pursuant to 35 U.S.C. § 284;
- f. a decree addressing future infringement that either (i) awards a permanent injunction enjoining Defendant and its agents, servants, employees, affiliates, divisions, and subsidiaries, and those in association with Defendant from infringing the claims of the Patents-in-Suit, or (ii) awards damages for future infringement in lieu of an injunction in an amount consistent with the fact that for future infringement the Defendant will be an adjudicated infringer of a valid patent, and trebles that amount in view of the fact that the future infringement will be willful as a matter of law; and
- g. award Flick such other and further relief as this Court deems just and proper.

Respectfully submitted,

Ramey & Schwaller, LLP

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